



FAIRFAX COUNTY

280
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

August 31, 2001

Timothy S. Sampson, Esquire
Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.
2200 Clarendon Boulevard – 13th Floor
Arlington, Virginia 22201-3359

RE: Proffered Condition Amendment Number PCA 92-V-032-2
(Concurrent with RZ 2001-MV-006 and SEA 88-V-025)

Dear Mr. Sampson:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on August 6, 2001, approving Proffered Condition Amendment PCA 92-V-032-2 in the name of LCOR/JV Acquisition LLC and Huntington Station LLC, to amend the proffers for RZ 92-V-032 previously approved for office development at an FAR of .66 in order to delete land area, generally located in the northeast quadrant of Huntington Avenue and Metroview Parkway, Tax Map 83-1 ((1)) 53A and 53B, subject to the proffers dated June 27, 2001, consisting of approximately 7.06 acres located in Mount Vernon District.

Sincerely,

Nancy Vehrs
Clerk to the Board of Supervisors
NV/ns

PCA 92-V-032-2
August 31, 2001

- 2 -

cc: Chairman Katherine K. Hanley
Supervisor Mount Vernon District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Michael R. Congleton, Deputy Zoning Administrator
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Thomas Conry, Dept. Mgr. - GIS - Mapping/Overlay
Robert Moore, Trnsprt'n. Planning Div., Dept. of Transportation
Charles Strunk, Project Planning Section, Dept. of Transportation
Michelle Brickner, Deputy Director, DPWES
Kenny King, Proffer Administrator, Plans & Document Control, OSDS, DPWES
Frank Edwards, Department of Highways - VDOT
Land Acqu. & Planning Div., Park Authority
District Planning Commissioner
James Patteson, Director, Facilities Mgmt. Div., DPWES

RECEIVED
DEPARTMENT OF PLANNING AND ZONING
SEP 6 2001
ZONING EVALUATION DIVISION
PLANNING AND ZONING DIVISION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 6th day of August, 2001, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROFFERED CONDITION AMENDMENT PCA 92-V-032-2
(CONCURRENT WITH RZ 2001-MV-006 AND SEA 88-V-025)

WHEREAS, LCOR/JV Acquisition LLC and Huntington Station LLC, filed in the proper form an application to amend the proffers for RZ 92-V-032 hereinafter described, by amending conditions proffered and accepted pursuant to Virginia Code Ann. § 15.2-2303(a), and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

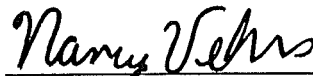
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Mount Vernon District, and more particularly described as follows (see attached legal description):

Be, and hereby is further restricted by the amended conditions proffered and accepted pursuant to Virginia Code Ann., § 15.2-2303(a), which conditions are incorporated into the Zoning Ordinance as it affects said parcel, and

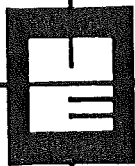
BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcels.

GIVEN under my hand this 6th day of August, 2001.



Nancy Vehr

Clerk to the Board of Supervisors



Urban Engineering & Associates, Inc.

7712 LITTLE RIVER TURNPIKE
ANNANDALE, VIRGINIA 22003

Tel: (703) 642-8080
Fax: (703) 642-8251

J. EDGAR SEARS, JR., P.E., C.L.S., R.L.A.
Principal
BARRY B. SMITH, P.E.
Principal
ERIC S. SIEGEL, P.E.
Principal

PHILLIP A. BLEVINS, C.L.S.
Associate
JEFFREY L. GILLILAND, P.E.
Associate
DAVID T. McELHANEY, P.E.
Associate

DESCRIPTION OF THE PROPERTY OF STARR MANAGEMENT CORP. T.M. 083-1-((1))-53-B

Beginning at a point being the southeast corner of the property of Hubert N. Hoffman and Peggy L. Hoffman, as acquired in Deed Book 1959 at Page 472, among the land records of Fairfax County, Virginia, said point also being on the northerly right-of-way line of Huntington Avenue, Route 1332, width varies; thence departing said point and running with the easterly line of said Hoffman

North $28^{\circ} 55' 47''$ East 497.02 feet to a point on a southerly line of Hubert N. Hoffman, as acquired in Deed Book 3754 at Page 398; thence running with the southerly lines of said Hubert N. Hoffman

South $82^{\circ} 00' 14''$ East 89.76 feet to a point; thence

North $61^{\circ} 09' 36''$ East 290.90 feet to a point; thence

North $43^{\circ} 03' 40''$ East 65.61 feet to a point being an easterly corner of said Hubert N. Hoffman, said point also being on the westerly line of the Huntington Subdivision, Section Nine, as recorded in Deed Book 798 at Page 345; thence running with the westerly line of said Huntington Subdivision

South $28^{\circ} 55' 47''$ West 846.59 feet to a point being the southwest corner of said Huntington Subdivision, said point also being on the northerly right-of-way line of said Huntington Avenue; thence with the northerly line of said Huntington Avenue

North $59^{\circ} 19' 07''$ West 255.12 feet to the point of beginning, containing 158,106 square feet or 3.6296 acres, more or less.

PROFFERS

PCA 92-V-032-2

June 27, 2001

Pursuant to Section 15.2-2303(A), *Code of Virginia*, 1950 as amended, HUNTINGTON STATION LLC, LCOR/JV ACQUISITION L.L.C. and the owners (hereinafter collectively referred to as the "Applicant") for themselves, successors and assigns, in PCA 92-V-032-2 (the "Application"), filed for property identified as Tax Map 83-1 ((1)) 53A ("Parcel 53A") and Tax Map 83-1 ((1)) 53B ("Parcel 53B") hereby reaffirm the Statement of Proffered Development Conditions, Starr Management Corporation, PCA 92-V-032, Dated March 21, 1997, amended as follows, and as they pertain to Parcel 53A only; Parcel 53B being subject to proffers associated with RZ 2001-MV-006 to be approved concurrent with this Application.

I. GENERAL [Revised as shown]

1. Parcel 53A shall be developed in substantial conformance with the Generalized Development Plan prepared by Rinker-Detwiler & Associates, P.C. dated January 28, 1993 (the "GDP"). Minor modifications may be permitted in accordance with Section 18-204 of the Zoning Ordinance.
2. [No change]
3. [No change]
4. [Revised as shown]. The total floor area ratio (FAR) on Parcel 53A shall not exceed 0.9243. The maximum gross floor area shall be 138,000 square feet on Parcel 53A.
5. [Revised as shown]. The height of the building on Parcel 53A shall not exceed 90 feet. The maximum height of the roof-top mechanical structures will be 16 feet 8 inches. While the GDP shows the parking structure on Parcel 53A to have a height above finished grade of 51.0 feet, the Applicant reserves the right, in its sole discretion, to provide for a parking structure with a height of 60.5 feet.

II. TRANSPORTATION [No change]

III. ENVIRONMENTAL [Revised as shown]

1. [Deleted]
2. [No change]

3.. [No change]

4. [No change]

IV. OTHER [No change]


V. TEMPORARY COMMERCIAL OFF-STREET PARKING FACILITY [Revised as Shown]. For so long as Starr Management Corporation and/or its affiliates owns Parcel 53A, the Applicant and Owners reserve the right to continue the use of Parcel 53A as commercial off-street parking in a Metro Station Area as a temporary use pursuant to Special Exception 96-V-045, as amended, and subject to all of the approved development conditions attached thereto. Upon the earlier of the sale of Parcel 53A by Starr Management Corporation and/or its affiliates or upon expiration of Special Exception 96-V-045 by its terms on November 20, 2003; the Applicant and Owners agree that Special Exception 96-V-045, as amended, shall be void and of no further force and effect on Parcel 53A. Vehicles entering the interim parking facility between the hours of 5:30 a.m. and 9:30 a.m., Monday through Friday, except holidays, shall be charged the same parking rates as the Huntington Metrorail Garage. If, in the future, the Huntington Metrorail Garage charges a monthly parking rate, the Applicant shall charge the same parking rates as the Huntington Metrorail Garage.

VI. COUNTERPARTS. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

(SIGNATURES BEGIN ON NEXT PAGE)

CO-APPLICANT/CONTRACT PURCHASER
OF TAX MAP 83-1 ((1)) 53B

HUNTINGTON STATION LLC

By: 
Name: Christopher B. Rupp
Its: Co-Managing Member

(SIGNATURES CONTINUE ON NEXT PAGE)

CO-APPLICANT/CONTRACT PURCHASER
OF TAX MAP 83-1 ((1)) 53A

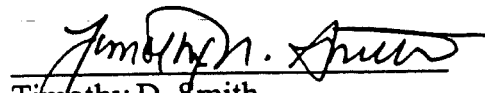
LCOR/JV ACQUISITION L.L.C

By: LCOR Operating Company, LLC
Its: Managing Member

By: LCOR Public/Private LLC
Its: Managing Member

By: LCOR Holdings LLC
Its: Managing Member

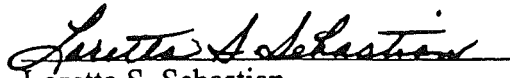
By: LCOR Incorporated
Its: Member


Timothy D. Smith
Senior Vice President

(SIGNATURES CONTINUE ON NEXT PAGE)

TITLE OWNER OF TAX MAP 83-1 ((1)) 53A & 53B

STARR MANAGEMENT CORPORATION

A handwritten signature in cursive script, appearing to read "Loretta S. Sebastian", written over a horizontal line.

Loretta S. Sebastian

Vice President

(SIGNATURES END)

F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 08/06/01

APPLICATION NUMBER: PCA 92-V-032 -02 MT. VERNON DISTRICT

APPLICANT: LCOR / JV ACQUISITION L.L.C. AND HUNTING

STAFF: BELGIN

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: C- 3

ACRES: 7.05

PROPOSAL DISTRICT:

ACTION:

C- 3
7.05

APPROVE
7.05

TOTAL ACRES

7.05

TOTAL ACRES

7.05

MAP NUMBERS

083-1- /01/ /0053-A ,0053-B

REMARKS:

ZONING MAP AMENDMENT

PCA 92-V-032 -02

ZONING DISTRICT DATA

ZONING DISTRICT: C- 3

PROFFERED/CONDITIONED DWELLING UNIT DATA

| TYPES | UNITS | ACRES | DENSITY | RANGE | LOMOD INCL | LOMOD ADD |
|-------|-------|-------|---------|-------|------------|-----------|
|-------|-------|-------|---------|-------|------------|-----------|

PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

| USE | GFA | FAR | USE | GFA | FAR |
|-----|-----|-----|-----|-----|-----|
|-----|-----|-----|-----|-----|-----|

COMMERICAL-GEN

PUBLIC/QUASI PUB

HOTEL/MOTEL

OFFICE

INDUSTRIAL-GEN

TRAN-UTIL-COMM.

CULT/EDU/RELG/ENT

RETAIL-EATING EST

INDUST-WAREHOUSE

*****TOTAL*****

REMARKS:

ZONING MAP AMENDMENT

PCA 92-V-032 -02

CONDITION/CONTRIBUTION DATA

| COND CODE DESCRIPTION | COND CODE DESCRIPTION |
|-------------------------------------|-------------------------------------|
| 1A GENERALIZED DEVEL PLAN | 3H ADJ DEVEL-ACCESS/NO ACCESS/CONDS |
| 3F PEDESTRIAN FACILITY/TRAIL | 2Z OTHER - LAND USE |
| 1Z OTHER - GENERAL | 1Z OTHER - GENERAL |
| 2J BUILDING HEIGHT | 4Z OTHER - ENVIRONMENT |
| 1Z OTHER - GENERAL | 1Z OTHER - GENERAL |
| 3Z OTHER - TRANSPORTATION | 4H LANDSCAPING |
| 4Z OTHER - ENVIRONMENT | 4Z OTHER - ENVIRONMENT |
| 4M SOIL PROBLMS/GEOTECHNICAL REVIEW | 1Z OTHER - GENERAL |
| 2Z OTHER - LAND USE | 1Z OTHER - GENERAL |

| CONTRIB DATA: | CND CODE | AMOUNT | CONDITIONED | EXPIRES | CONTRIB CODE |
|---------------|----------|--------|-------------|----------|--------------|
| | | \$0 | | 00/00/00 | |
| | | \$0 | | 00/00/00 | |
| | | \$0 | | 00/00/00 | |
| | | \$0 | | 00/00/00 | |

REMARKS:

FAR ON PARCERL 53A SHALL NOT EXCEED 0.9243

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

SEP 5 2001

ZONING EVALUATION DIVISION
ZONING EVALUATION DIVISION